

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|------------------------|------------------------|
| 10/043,654 | 01/10/2002 | Nelson Waldo Bunker V. | 500939.000004 |

CONFIRMATION NO. 7438

27644
THOMPSON & KNIGHT L.L.P.
PATENT PROSECUTION DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1200
AUSTIN, TX 78701

FORMALITIES LETTER



OC000000007512056

Date Mailed: 02/21/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$1494.
 - \$738 for 82 total claims over 20.
 - \$756 for 18 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1929.**

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/09/2002 HND0R1 00000055 10043654
01 FC:201 370.00 00
02 FC:205 65.00 00
03 FC:202 756.00 00
04 FC:203 738.00 00



#3
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Nelson Waldo Bunker V
David Laizerovich
Eva Elizabeth Bunker
Joey Don Van Schuyver

Group Art Unit: 2131

Examiner: To be assigned

Atty. Dkt. No.: 500939.000004

Serial No.: 10/043,654


Filed: January 10, 2002

For: NETWORK SECURITY TESTING

CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to:
Commissioner for Patents, Washington, D.C. 20231, on the date below:

March 27, 2002
Date


Aaron A. Weiss

**RESPONSE TO NOTICE
TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

Box MISSING PARTS
Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Under 37

C.F.R. §1.53(d)(1), mailed February 21, 2002, there are enclosed herewith:

- (a) Declaration for Utility or Design Patent Application (37 CFR 1.63);
- (b) Fee Transmittal Sheet;
- (d) Check in the amount of \$1,929.00 to cover the basic filing fee (\$370), fee for 82 total claims over 20 (\$738), and fee for 18 independent claims over 3 (\$756) payable to the Commissioner for Patents;
- (e) A copy of the Notice to File Missing Parts of Nonprovisional Application; and
- (f) Postcard.

Should any additional fees be required under 37 C.F.R. §§ 1.16 to 1.21 for any reason relating to the enclosed materials, the Assistant Commissioner is authorized to deduct said fees from Thompson & Knight, L.L.P.'s Deposit Account No. 20-0821/500939.000004/AAW.

Respectfully submitted,



Aaron A. Weiss
Reg. No. 46,163
Attorney for Applicant

THOMPSON & KNIGHT L.L.P.
98 San Jacinto Boulevard, #1200
Austin, Texas 78701-4081
512.469.6100

Date: March 27, 2002



DIRECT DIAL:

512.469.6177

email: weissa@tklaw.com

THOMPSON & KNIGHT

L.L.P.

ATTORNEYS AND COUNSELORS

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AUSTIN
DALLAS
FORT WORTH
HOUSTON
MONTERREY, MEXICO

MP

March 27, 2002

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date below:

March 27, 2002

Date

Aaron A. Weiss

Box MISSING PARTS
Commissioner for Patents
Washington, DC 20231

RE: S/N 10/043,654 "NETWORK SECURITY TESTING" – Nelson Waldo Bunker V et al.
(Our File No. 500939.000004)

Sir:

Enclosed for filing in the above-referenced patent application is:

1. Response to Notice to File Missing Parts of Nonprovisional Application (2 pp.);
2. Declaration for Utility or Design Patent Application (37 CFR 1.63) (3 pp.);
3. Fee Transmittal Sheet;
4. Check in the amount of \$1,929.00 to cover the basic filing fee (\$370), fee for 82 total claims over 20 (\$738), and fee for 18 independent claims over 3 (\$756) payable to the Commissioner for Patents;
5. A copy of the Notice to File Missing Parts of Nonprovisional Application (1 p.); and
6. Postcard.

Commissioner for Patents
March 27, 2002
Page 2

Should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Assistant Commissioner is hereby authorized to deduct said fees from Thompson & Knight, L.L.P.'s Deposit Account No. 20/0821-500939.000004/AAW.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,



Aaron A. Weiss
Reg. No. 46,163

Encl:
AAW:ks



PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 710.00

Complete if Known

| | |
|----------------------|-----------------------------|
| Application Number | 10/043,654 |
| Filing Date | January 10, 2002 |
| First Named Inventor | Nelson Waldo Bunker V et al |
| Examiner Name | To be assigned |
| Group Art Unit | 2131 |
| Attorney Docket No. | 500930.000004 |

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number: 20-0821
- Deposit Account Name: Thompson & Knight LLP
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☒ Payment Enclosed:
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 710 | 201 355 | Utility filing fee | 370.00 |
| 106 320 | 206 160 | Design filing fee | |
| 107 490 | 207 245 | Plant filing fee | |
| 108 710 | 208 355 | Reissue filing fee | |
| 114 150 | 214 75 | Provisional filing fee | |

SUBTOTAL (1) (\$) 370.00

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 102 | -20** = 82 | 9 | 738 |
| 21 | -3** = 18 | 42 | 756 |
| Multiple Dependent | | | |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 103 18 | 203 9 | Claims in excess of 20 |
| 102 80 | 202 40 | Independent claims in excess of 3 |
| 104 270 | 204 135 | Multiple dependent claim, if not paid |
| 109 80 | 209 40 | ** Reissue independent claims over original patent |
| 110 18 | 210 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 1,494.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130 | 205 65 | Surcharge - late filing fee or oath | |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 130 | 139 130 | Non-English specification | |
| 147 2,520 | 147 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | |
| 115 110 | 215 55 | Extension for reply within first month | |
| 116 390 | 216 195 | Extension for reply within second month | |
| 117 890 | 217 445 | Extension for reply within third month | |
| 118 1,390 | 218 695 | Extension for reply within fourth month | |
| 128 1,890 | 228 945 | Extension for reply within fifth month | |
| 119 310 | 219 155 | Notice of Appeal | |
| 120 310 | 220 155 | Filing a brief in support of an appeal | |
| 121 270 | 221 135 | Request for oral hearing | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | Petition to revive - unavoidable | |
| 141 1,240 | 241 620 | Petition to revive - unintentional | |
| 142 1,240 | 242 620 | Utility issue fee (or reissue) | |
| 143 440 | 243 220 | Design issue fee | |
| 144 600 | 244 300 | Plant issue fee | |
| 122 130 | 122 130 | Petitions to the Commissioner | |
| 123 50 | 123 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 180 | 126 180 | Submission of Information Disclosure Stmt | |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | |
| 146 710 | 246 355 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 710 | 249 355 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 710 | 279 355 | Request for Continued Examination (RCE) | |
| 169 900 | 169 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

| | | | | | |
|-------------------|-----------------|-----------------------------------|----------------|-----------|--------------|
| Name (Print/Type) | Aaron A. Weiss | Registration No. (Attorney/Agent) | 46,163 | Telephone | 512.469.6177 |
| Signature | <i>A. Weiss</i> | Date | March 27, 2002 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.